

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Deanna C. Deanes
Debtor(s)

Bankruptcy Case No.: 19-22988-JAD
Issued Per Sep. 23, 2019 Proceeding
Chapter: 13
Docket No.: 24 - 17
Concil. Conf.: January 30, 2020 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 24, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 30, 2020 at 09:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Attorney fees are to be based on a retainer of \$900 per Plan.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: September 27, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Deanna C. Deanes
 Debtor

Case No. 19-22988-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 30

Date Rcvd: Sep 27, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2019.

db
 15128744 +Deanna C. Deanes, 613 Walnut Street, Irwin, PA 15642-3533
 15095709 CREDIT FIRST NA, PO BOX 818011, CLEVELAND, OH 44181-8011
 15095711 +Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
 15126920 +Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
 15095714 +Lakeview Loan Servicing LLC, PO Box 840, Buffalo, NY 14240-0840
 15095715 +M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
 15095716 +Macys/dsnb, Po Box 8218, Mason, OH 45040-8218
 15095716 +Midland Funding, 320 East Big Beaver, Troy, MI 48083-1271
 15097448 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15095722 +Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. cr

+E-mail/Text: kburkley@bernsteinlaw.com Sep 28 2019 02:45:13 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 28 2019 03:03:06
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15095702 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 28 2019 03:02:29
 Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
 15095703 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Sep 28 2019 02:45:18 Cb Indigo/gf,
 Po Box 4499, Beaverton, OR 97076-4499
 15095704 +E-mail/Text: kzoepfel@credit-control.com Sep 28 2019 02:44:48 Central Loan Admin & R,
 Po Box 77404, Ewing, NJ 08628-6404
 15095705 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 28 2019 02:44:26 Comenity Bank/gnteagle,
 Po Box 182789, Columbus, OH 43218-2789
 15095706 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 28 2019 02:44:26 Comenitybank/victoria,
 Po Box 182789, Columbus, OH 43218-2789
 15095707 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 28 2019 02:44:27 Comenitycb/forever21,
 Po Box 182120, Columbus, OH 43218-2120
 15095708 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 28 2019 02:44:27 Comenitycb/ultra,
 Po Box 182120, Columbus, OH 43218-2120
 15095710 +E-mail/PDF: creditonebknofications@resurgent.com Sep 28 2019 03:02:33 Credit One Bank Na,
 Po Box 98872, Las Vegas, NV 89193-8872
 15095712 +E-mail/PDF: pa_dc_ed@navient.com Sep 28 2019 03:03:07 Dept Of Ed/navient, Po Box 9635,
 Wilkes Barre, PA 18773-9635
 15103401 E-mail/PDF: resurgentbknofications@resurgent.com Sep 28 2019 03:02:42 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15095713 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 28 2019 03:03:18 Lvnv Funding Llc,
 Po Box 1269, Greenville, SC 29602-1269
 15126947 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 28 2019 02:44:44 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 15095717 +E-mail/PDF: pa_dc_claims@navient.com Sep 28 2019 03:02:34 Navient, Po Box 9500,
 Wilkes Barre, PA 18773-9500
 15095718 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 28 2019 03:03:06
 Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
 15095719 +E-mail/PDF: pa_dc_claims@navient.com Sep 28 2019 03:02:39 Sallie Mae, Po Box 9500,
 Wilkes Barre, PA 18773-9500
 15095720 +E-mail/PDF: gecsed@recoverycorp.com Sep 28 2019 03:02:27 Synch/care Credit,
 950 Forrer Blvd, Kettering, OH 45420-1469
 15095721 +E-mail/PDF: gecsed@recoverycorp.com Sep 28 2019 03:02:27 Synch/toysrus, Po Box 965005,
 Orlando, FL 32896-5005
 15110715 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Sep 28 2019 02:44:15
 Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505

TOTAL: 20

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Lakeview Loan Servicing LLC
 15110694* +Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
 15110716* +Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
 15110695* +Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
 15110717* +Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
 15110696* +Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
 15110718* +Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
 15110697* +Comenity Bank/gnteagle, Po Box 182789, Columbus, OH 43218-2789
 15110719* +Comenity Bank/gnteagle, Po Box 182789, Columbus, OH 43218-2789
 15110698* +Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
 15110720* +Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
 15110699* +Comenitycb/forever21, Po Box 182120, Columbus, OH 43218-2120
 15110721* +Comenitycb/forever21, Po Box 182120, Columbus, OH 43218-2120
 15110700* +Comenitycb/ultra, Po Box 182120, Columbus, OH 43218-2120
 15110722* +Comenitycb/ultra, Po Box 182120, Columbus, OH 43218-2120
 15110701* +Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
 15110723* +Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
 15110702* +Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 30

Date Rcvd: Sep 27, 2019

***** BYPASSED RECIPIENTS (continued) *****

15110724* +Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
15110703* +Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
15110725* +Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
15110704* +Dept Of Ed/navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15110726* +Dept Of Ed/navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15110705* +Lvnv Funding Llc, Po Box 1269, Greenville, SC 29602-1269
15110727* +Lvnv Funding Llc, Po Box 1269, Greenville, SC 29602-1269
15110706* +M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15110728* +M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15110707* +Macys/dsnb, Po Box 8218, Mason, OH 45040-8218
15110729* +Macys/dsnb, Po Box 8218, Mason, OH 45040-8218
15110708* +Midland Funding, 320 East Big Beaver, Troy, MI 48083-1271
15110730* +Midland Funding, 320 East Big Beaver, Troy, MI 48083-1271
15110709* +Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15110731* +Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15110710* +Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15110732* +Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15110711* +Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
15110733* +Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
15110712* +Synbc/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15110734* +Synbc/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15110713* +Synbc/toysrus, Po Box 965005, Orlando, FL 32896-5005
15110735* +Synbc/toysrus, Po Box 965005, Orlando, FL 32896-5005
15110714* +Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122
15110736* +Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122
15110737* +Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505

TOTALS: 1, * 43, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Lakeview Loan Servicing LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Lawrence W. Willis on behalf of Debtor Deanna C. Deanes ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedwpa.com

TOTAL: 5